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Message:

We resubmit a copy of the Replacement Terminal Disclaimer originally mailed on 8/4/06 regarding:

Serial No.: 10/727,658
Filed: December 5, 2003
Titled: Combinations of Potassium Channel Openers and Sodium Channel Inhibitors or Sodium Channel-Influencing Active Compounds for Treating Pains
Applicant: Szelenyi et al.
Art Unit: 1614
Docket: 6319-1815

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PTO/SB/25 (10-05)

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REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
8319-1815

In re Application of: SZELENYI et al.

Application No.: 10/727,658

Filed: December 5, 2003

For: VALEANT PHARMACEUTICALS INTERNATIONAL

The owner, VALEANT PHARMACEUTICALS INTERNATIONAL, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/727,655, filed on December 5, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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